

REMARKS

This paper is submitted in response to the Office Action mailed on March 7, 2006. Applicants note and appreciate Examiner's indication of the allowability of claim 5. Applicants respectfully traverse the rejections and request reconsideration and allowance of the claims in light of the following remarks.

Claims 1, 2-4, 6-8, 18, and 19 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,575,528 to Tiesler et al. ("Tiesler"). In the Office Action, the Examiner asserts:

Tiesler et al. disclose an automotive interior trim assembly comprising a substrate (60) and a storage compartment coupled to the substrate and adapted to store items. The storage compartment is comprised of a compartment body (36) that defines a cavity for storing items and has integral connecting members formed therein on element (40), as seen in Figure 2. A cover (50) has integral connecting members (52) formed therein to couple with the connecting members of the compartment body. The cover body (50) can be moved between an open position that allows one to access the cavity through opening (54). In reference to claim 6, the cover (54) is pivotally moved between the open and closed position. In reference to claim 18, the automotive interior assembly includes a first member (36) having at least one connecting member integrally formed therein, as seen in Figure 2, and a second member (50) with at least one connecting member (52) integrally formed therein, as seen in Figure 2. The first member connecting members cooperate with the second member connecting members (52) to pivotally couple the first member to the second member. In reference to claim 19, the first member is a compartment body and the second member is a cover. However, Tiesler et al. do not disclose the claimed materials for the compartment body and cover.

Official notice is being taken that polybutylene terephthalate and polypropylene are well known in the automotive art, are commonly used to form parts of interior trim assemblies and have known properties.

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to:

form the compartment body of Tiesler et al. of polybutylene terephthalate,

and form the cover of Tiesler et al. of polypropylene,

as an obvious expedients to provide the components with the desired look, feel, weight, and strength resulting in the compartment body being formed of a material with a melting point higher than the melting point of the material that forms the cover.

(Office Action, p. 2-3). Contrary to the Examiner's assertions, the prior art provides no motivation to modify the teachings of Tiesler to arrive at the claimed invention. Instead, the suggestion to modify Tiesler comes only from the Examiner and Applicants' own disclosure.

Tiesler is directed to an overhead console assembly (12) for a headliner (14) having one or more accessory modules (34) coupled thereto. The accessory module (34) includes a module housing (36) having a top surface (38), a bottom surface (40), and a storage area (42) defined therebetween. Accessory module (34) may include a door (50) pivotally mounted to members (not numbered) on the bottom surface (40) of housing (36) by hinges (52). Door (50) extends between an open position and a closed position wherein door (50) is received in aperture (54).

As correctly noted in the Office Action, Tiesler does not teach or suggest the claimed materials for the compartment body or "module housing" (36) and cover or "door" (50). In fact, Tiesler fails to discuss any specific materials of construction for the module housing (36) and door (50). The Examiner fills this void by asserting that various materials and their properties are "well known" in the automotive arts. On this basis, the Examiner concludes that it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the accessory module of Tiesler by making

the module housing (36) and the door (50) of Tiesler out of materials having different melting points.

In regard to independent claim 1, the Examiner has not established a *prima facie* case of obviousness. In particular, Tiesler fails to teach or suggest a "compartment body including at least one connecting member integrally formed therein made from a first material" and a "cover including at least one connecting member integrally formed therein and made from a second material having a different melting point from said first material," as is specifically recited in independent claim 1. Tiesler fails to provide any teaching or suggestion of the type of materials used to form the accessory module. This is certainly to discussion of the melting points of the materials used to form the accessory module. Moreover, there is nothing in Tiesler that would motivate one of ordinary skill in the art to make the module housing and the door out of materials having different melting points. One of ordinary skill in the art seeking to couple two members using integrally formed connecting members would have been motivated to form the connecting members from the same exact material and not from materials having different melting points. Even assuming that it is "well known" in the automotive arts to form trim assemblies from certain materials, the Examiner has leapt to the conclusion that it would have been obvious to form the compartment body from "a first material" and to form the cover from "a second material having a different melting point from said first material." This is a leap of logic that is wholly unsupported by any of the prior art.

As noted in the present application, the invention contemplates forming

the compartment body "from a first material" and the cover "from a second material having a different melting point from said first material" for good reason. In particular, there are manufacturing and economic benefits gained from coupling the at least one integrally formed connecting member on the compartment body and the at least one integrally formed connecting member on the cover during a two-shot molding process. To prevent fusion of the connecting members on the compartment body and the cover during the molding process, the melting point of one of the materials is different from the melting point of the other material. Tiesler, on the other hand, is not directed to and does not recognize or address the various problems associated with the connection between the module housing and the door and thus does not realize the benefits of making these components from materials having different melting points. Moreover, there is no other significant advantage disclosed in Tiesler that would motivate one of ordinary skill in the art to make these components from materials having different melting points. Again, this is only suggested by the Examiner.

The only disclosure of using a first material for the compartment body and a second material for the cover, wherein the first and second materials have different melting points, is in the present application. The Examiner has simply used the present application as a blueprint for modifying the prior art to arrive at the invention of claim 1. Such an approach is impermissible and falls far short of a *prima facie* case of obviousness. For at least this reason, Applicants respectfully request that the rejection of claim 1 over Tiesler under 35 U.S.C. § 103(a) be withdrawn.

As claims 2-4 and 6-8 depend from allowable independent claim 1 and further as each of these claims recites a combination of elements not taught or suggested by Tiesler, Applicants submit that these claims are allowable as well.

Moreover, claim 18 recites "a first member including at least one connecting member integrally formed therein made from a first material" and "a second member including at least one connecting member integrally formed therein and made from a second material having a different melting point from said first material." Thus, for the reasons stated above for claim 1, Applicants requests that the rejection of claim 18 also be withdrawn.

Claim 19 depends from allowable independent claim 18 and further as this claim recites a combination of elements not taught or suggested by Tiesler, Applicants submit that this claim is allowable as well.

Claims 1 and 7-9 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,116,672 to Cannon et al. ("Cannon") in view of Tiesler. In the Office Action, the Examiner asserts:

Cannon et al. disclose an automotive trim including a substrate (18) that is coupled to a storage compartment (24). The storage compartment is formed of a compartment body (26) that defines a cavity and has openings, as seen in Figures 1 and 2a. A cover is pivotally coupled to the compartment body, as seen in Figures 1 and 2a. In reference to claim 9, the trim assembly is a door panel. However, Cannon et al. do not disclose the claimed connecting members of the claimed materials.

Tiesler et al. teach integrally forming connecting members to a compartment body (36) and a cover (50) such that the connecting members cooperate with one another to allow the cover to pivot between open and closed positions.

Official notice is being taken that polybutylene terephthalate and polypropylene are well known in the automotive art, are commonly used to

form parts of interior trim assemblies, and have known properties.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to:

form the compartment body of Cannon et al. with integral connecting members, as taught by Tiesler et al.,

form the cover of Cannon et al. with integral connecting members, as taught by Tiesler et al., that cooperate with the body connecting members to form a hinge between the cover and the compartment body,

form the compartment body of Cannon et al. of polybutylene terephthalate, and

form the cover of Cannon et al. of polypropylene,

as an obvious expedient to provide the components with the desired look, feel, weight, and strength resulting in the compartment body being formed of a material with a melting point higher than the melting point of the material that forms the cover.

(Office Action, p. 4-5).

Cannon is directed to a vehicle door assembly (10) having a vehicle door pocket (12) with an opening (14) defined by a top edge (22). An insert (24) having a frame (26) is adapted to be received in pocket (12) and includes a lip (28) that engages the top edge (22) when inserted into pocket (12). Frame (26) includes partitions (32) that subdivide door pocket (12) into compartments for storing articles. In reference to Fig. 2a of Cannon, the partitions (32) subdivide the frame (26) into a tissue dispenser (38), a storage bin (40), a notepad and calculator container (42), and a pen and pencil container (44). That figure also shows a cover (not numbered) associated with the tissue dispenser (38).

In regard to claim 1, the Examiner has again failed to establish a *prima facie* case of obviousness and for the same reasons provided above for Tiesler. In particular, Cannon provides no teaching or suggestion of the type of material used to form the cover and body of the tissue dispenser, and further provides no reason that would motivate one of ordinary skill in the art to make the cover and body of the tissue dispenser from materials having different melting points. As noted above, Tiesler fails to cure this deficiency in Cannon. Thus, Cannon in combination with Tiesler fails to teach or suggest the combination of elements recited in claim 1. The rejection should be withdrawn for at least the same reasons as expressed above with regard to the rejection under § 103(a) using Tiesler alone.

Moreover as claims 7-9 depend from allowable independent claim 1 and as each of these claims recites a combination of elements not taught in Cannon and/or Tiesler, Applicants submit that these claims are allowable as well.

Conclusion

In view of the foregoing remarks, this application is submitted to be in complete condition for allowance and early notice to this affect is earnestly solicited. If the Examiner believes any matter requires further discussion, the Examiner is respectfully invited to telephone the undersigned attorney so that the matter may be promptly resolved.

Applicant does not believe that any fees are due in connection with this response. However, if such petition is due or any fees are necessary, the

Commissioner may consider this to be a request for such and charge any necessary fees to deposit account 23-3000.

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.

/Steven W. Benintendi/

Steven W. Benintendi

Reg. No. 56,297

2700 Carew Tower
441 Vine Street
Cincinnati, OH 45202
(513) 241-2324 (voice)
(513) 421-7269 (facsimile)